

ORIGINAL

Decision No. 65753

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of Investigation )  
into the rates, rules, regulations, )  
charges, allowances and practices )  
of all common carriers, highway )  
carriers and city carriers relating )  
to the transportation of sand, rock, )  
gravel, and related items (com- )  
modities for which rates are pro- )  
vided in Minimum Rate Tariff No. 7).)

Case No. 5437  
(Petition for Modification  
No. 94)  
(Filed May 6, 1963)

OPINION AND ORDER

By this petition, the California Dump Truck Owners Association seeks modification of Minimum Rate Tariff No. 7 by the establishment of a new production area in Ventura County as well as zone rates for the transportation of rock, sand and aggregates and asphaltic concrete therefrom to Ventura County delivery zones.

According to the petition, Terminal Rock Company has established a new sand and gravel plant in the vicinity of Moorpark and Industrial Asphalt, Inc., has established an asphaltic concrete plant adjacent thereto. Petitioner states that both of these companies plan to ship thousands of tons of their products each month from these new facilities to markets in Ventura County, utilizing the services of for-hire dump truck carriers.

Petitioner alleges that zone rates are not now available for the proposed transportation. The mileage rates and hourly rates which are available assertedly are not suitable because of the costly supervision and uncertainties involved. Petitioner states that other producers of the same commodities in the same marketing area now have zone rates available for similar transportation services; and that the establishment of zone rates from these new facilities would

remove a potential rate discrimination. Petitioner alleges that the proposal is noncontroversial.

The petition specifies the proposed rates in detail for rock, sand and aggregates as well as for asphaltic concrete. It also includes the traverse times, computations of the round-trip running times between the new production area and the Ventura County delivery zones, and contains a sketch and territorial description of the proposed production area. Petitioner states that the proposed zone rates were developed in accordance with the formula heretofore utilized in the development of existing zone rates in the Ventura County area.

Copies of the verified petition were mailed by petitioner, on or about May 3, 1963, to various contractors, shippers, carriers and other interested parties, including the California Trucking Association. No objection to its being granted has been received. The petition shows that it is supported by both of the shippers involved.

It is clear from the facts recited in this petition that the establishment of zone rates as proposed would do no more than provide, from these new points of production, rates of the same kind and character as those already available from established competing points of production in the same general area. To withhold or unnecessarily delay the establishment of the requested rates would be to deprive the affected shippers of rate bases heretofore established as reasonable for competing shippers.

In the circumstances, it appears, and the Commission finds, that the proposed revisions are reasonable, and that the resulting minimum rates will be just, reasonable and nondiscriminatory minimum rates for the transportation of rock, sand and aggregates and for asphaltic concrete in dump trucks from the proposed production area,

hereinafter designated as Ventura County Production Area L, to the various Ventura County delivery zones, all as described in Minimum Rate Tariff No. 7. This is a matter in which a public hearing is not required. The petition will be granted.

Good cause appearing,

IT IS ORDERED that:

1. Minimum Rate Tariff No. 7 (Appendix "A" of Decision No. 32566, as amended) is hereby further amended by incorporating therein, to become effective September 14, 1963, the original and revised pages attached hereto and listed in Appendix A also attached hereto and by this reference made a part hereof.

2. In all other respects said Decision No. 32566, as amended, shall remain in full force and effect.

This order shall become effective twenty days after the date hereof.

Dated at San Francisco, California, this 23<sup>rd</sup> day of July, 1963.

William G. Bennett  
President  
John S. Hadden  
Walter C. King  
George L. Hoover  
Frederic B. Hallock  
Commissioners

APPENDIX A TO DECISION NO. 65753

List of Original and Revised Pages to Minimum  
Rate Tariff No. 7 Authorized by said Decision

Ninth Revised Page 27

First Revised Page 36-H

Tenth Revised Page 37

Seventh Revised Page 38-0

Original Page 38-0-1

(END OF APPENDIX A LIST)

Area No.	SECTION NO. 3 - RATES FROM PRODUCTION AREAS TO DELIVERY ZONES (Continued)
	<p style="text-align: center;">APPLICATION OF TARIFF-TERRITORIAL (Continued) VENTURA COUNTY-PRODUCTION AREAS</p>
A	<p>Production facilities located in Ventura County Delivery Zone No. 35 at and adjacent to the point where the Southern Pacific Company tracks cross the Santa Clara River, on northerly bank of river, westerly of said tracks.</p>
B	<p>Production facilities within the following described area in Ventura County Delivery Zone No. 35: Beginning at the intersection of the south bank of the Santa Clara River with the northerly prolongation of Central Avenue; southeasterly along the prolongation of Central Avenue to Vineyard Avenue; southwesterly along Vineyard Avenue to Corsicana Drive; northwesterly along a direct line to a point on the south bank of the Santa Clara River one-half (<math>\frac{1}{2}</math>) mile southwesterly of the point of beginning; northeasterly along the south bank of the Santa Clara River to the point of beginning.</p>
C	<p>Production facilities within the following described area in Ventura County Delivery Zone No. 36: Beginning at the intersection of the south bank of the Santa Clara River with Los Angeles Avenue; southeasterly along Los Angeles Avenue to Vineyard Avenue; southwesterly along Vineyard Avenue to Central Avenue; northerly along a direct line to a point on the south bank of the Santa Clara River one-half (<math>\frac{1}{2}</math>) mile westerly of the point of beginning; easterly along the south bank of the Santa Clara River to the point of beginning.</p>
E	<p>Production facilities within the following described area in Ventura County Delivery Zone No. 38-A: Beginning at the intersection of Riverside Drive and Santa Clara Street; southerly along Riverside Drive to the north bank of the Santa Clara River; westerly along the north bank of the Santa Clara River to its intersection with the southerly prolongation of Ojai Street; northerly along the prolongation of Ojai Street and Ojai Street to its intersection with the westerly prolongation of Santa Clara Street; easterly along the prolongation of Santa Clara Street and Santa Clara Street to the point of beginning.</p>
G	<p>Production facilities located adjacent to the westerly side of Ventura County Delivery Zone No. 49 within the following described area: The southeast one-quarter (<math>\frac{1}{4}</math>) of section 18 and the southwest one-quarter (<math>\frac{1}{4}</math>) of section 17, township 3 north, range 19 west, San Bernardino base and meridian.</p>
H	<p>Production facilities located adjacent to the westerly side of Ventura County Delivery Zone No. 45 within the following described area: The northeast one-quarter (<math>\frac{1}{4}</math>) of the northwest one-quarter (<math>\frac{1}{4}</math>) and lots 3 and 6 of section 28, township 3 north, range 20 west, San Bernardino base and meridian.</p>
I	<p>Production facilities within the following described area in Ventura County Delivery Zone No. 37: Beginning at the intersection of Todd Barranca (wash) and the Southern Pacific Company right-of-way; northeasterly along the Southern Pacific Company right-of-way to Briggs Road; southeasterly along the prolongation of Briggs Road to the north bank of the Santa Clara River; southwesterly along the north bank of the Santa Clara River to Todd Barranca (wash); northerly along Todd Barranca to the point of beginning.</p>

J Beginning at a point on the west bank of the Ventura River 3200 feet north of the U.S. Highway 101 bridge across that river; thence due west 1000 feet; thence due north 1000 feet; thence due east 1000 feet; thence due south to the point of beginning.

K An area on the east bank of the Santa Clara River approximately 6,600 feet upstream from the Saticoy Bridge (Los Angeles Avenue) and described as Lot 82 of the Rancho Santa Paula y Saticoy, in the County of Ventura, State of California, as per map thereof recorded in the office of the county recorder of said Ventura County in Book "A" of Miscellaneous Records, at Page 290.

\*L Lot 13 of parcel 500-110-01 and lot 14 of parcel 500-160-01 of the Epworth tract, Rancho Simi, township 3 north, range 19 west, as shown on book 3, page 36 of maps of the county recorder's office of Ventura County.

\* Addition, Decision No.

65753

EFFECTIVE SEPTEMBER 11, 1963

Issued by the Public Utilities Commission of the State of California,  
San Francisco, California.

Correction No. 975

Item No.	SECTION NO. 3 - RATES FROM PRODUCTION AREAS TO DELIVERY ZONES IN CENTS PER TON (Continued)							
	MATERIAL, viz.:							
	Granite, decomposed, Gravel, Sand,		Stone, crushed, chips or waste, Stone, natural, blocks, pieces or slabs, rough quarried, Stone, natural, sawed, not further finished.					
	TO (1) Ventura County Delivery Zones	FROM (1) Ventura County Production Areas						
	A	B	C	E	I	J	K	*6L
10	108	113	122	118	133	92	128	191
11	118	121	131	125	142	100	138	198
12	101	104	116	109	126	85	122	183
13	92	97	105	102	119	77	118	175
14	84	88	96	108	108	68	108	168
15	90	95	102	119	118	73	111	176
16	77	84	92	109	108	67	104	165
17	71	74	81	101	97	58	91	155
18	68	70	74	92	88	47	83	144
19	58	67	69	85	79	38	74	135
20	53	64	69	80	77	30	70	131
21	68	70	72	90	85	34	76	140
22	71	72	80	100	95	48	88	149
23	76	79	90	108	103	58	98	158
24	103	107	118	100	116	86	124	174
25	95	102	109	96	114	80	118	168
26-A	104	109	119	92	108	91	128	166
26-B	113	118	125	96	110	97	134	166
27	118	118	108	75	93	105	122	152
28	114	109	100	68	84	112	108	139
29	100	95	85	56	68	121	96	129
30	85	80	71	40	62	103	79	111
31-A	50	58	66	78	74	45	70	129
31-B	45	52	59	72	69	39	64	121
32	46	53	62	74	69	48	64	126
33	43	50	58	72	68	53	60	119
34	38	47	51	69	66	47	58	112
35	36	40	43	68	64	63	50	101
36	48	44	37	59	56	67	35	91
37	66	58	48	38	34	73	57	104
38-A	71	69	65	31	46	87	69	98
38-B	79	77	71	38	61	100	86	93
38-C	84	78	71	38	59	100	75	78
39-A	97	92	84	65	71	114	97	84
39-B	93	90	79	58	68	111	89	77
39-C	93	90	79	53	67	111	87	69
39-D	104	101	91	68	74	122	98	78
40-A	116	110	101	71	85	132	108	89
40-B	122	118	108	75	91	138	115	97
40-C	132	127	118	85	102	148	127	109
41-A	127	124	117	81	99	147	123	104
41-B	111	139	127	95	110	158	137	116
42	65	56	46	72	69	121	50	72
43	69	65	56	79	77	93	59	63
44	76	70	68	72	86	117	61	67
45	95	88	79	53	68	114	74	78
46	84	75	71	71	88	112	65	60

6240

(1) For descriptions of Ventura County Production Areas and Delivery Zones, see Pages 22 to 27, inclusive.

ø Change )  
\* Addition ) Decision No.  
ó Reduction )

65753

EFFECTIVE SEPTEMBER 11, 1963

Issued by the Public Utilities Commission of the State of California,  
San Francisco, California.  
Correction No. 976



Item No.	SECTION NO. 3 - RATES FROM PRODUCTION AREAS TO DELIVERY ZONES IN CENTS PER TON (Continued)								
	TO (1) Ventura County Delivery Zones		FROM (1) Ventura County Production Areas						*6L
	A	B	C	E	I	J	K		
	MATERIAL, viz.:								
	Granite, decomposed, Gravel, Sand,		Stone, crushed, chips or waste, Stone, natural, blocks, pieces or slabs, rough quarried, Stone, natural, sawed, not further finished.						
	47	71	70	67	80	84	102	60	62
	48-A	92	84	75	88	100	119	76	43
	48-B	85	77	71	89	97	114	70	43
	48-C	79	72	71	95	96	111	69	54
	49	107	102	92	68	75	126	92	59
	50	97	92	81	84	102	133	89	38
	51-A	88	80	71	90	102	118	76	45
	51-B	92	85	76	99	121	126	78	48
	51-C	102	95	86	108	125	136	88	58
	52	101	97	90	116	119	132	89	59
	53-A	91	86	80	107	109	122	83	54
	53-B	91	88	85	120	116	122	89	67
	54	96	92	92	125	123	129	97	77
	56	113	104	95	120	129	144	101	63
	57	125	119	109	131	142	159	111	79
	58-A	124	117	107	129	139	154	110	74
	58-B	134	126	118	141	148	163	120	83
6241	59-A	43	44	51	76	77	72	63	108
	59-B	46	49	57	79	79	75	61	107
	60	37	38	46	75	70	66	57	96
	61	48	40	40	70	68	72	50	81
	62	68	61	58	85	82	86	62	73
	63	64	58	58	80	76	85	54	69
	64-A	65	58	58	84	78	86	55	81
	64-B	69	66	66	92	82	97	63	90
	65	61	57	56	80	76	83	54	87
	66	56	52	58	81	77	80	54	92
	67	48	47	52	81	77	73	53	102
	68	58	56	64	91	88	82	73	114
	69	58	53	59	92	88	80	69	104
	70	61	56	66	93	89	83	76	104
	71	70	69	71	101	96	97	71	106
	72	70	70	71	100	95	95	69	103
	73	71	71	71	105	101	101	74	108
	74	75	72	76	109	105	106	80	113
	75	78	77	79	114	109	110	83	115
	76-A	71	69	69	95	90	97	65	78
	76-B	77	75	72	107	102	110	78	68
	77	69	66	65	86	80	87	57	73
	78	72	70	70	101	96	102	71	89
	79-A	81	80	79	114	108	113	92	99
	79-B	95	91	90	124	120	126	95	114
	79-C	107	103	102	138	132	138	105	123
	79-D	120	116	116	149	145	151	120	132
	79-E	107	103	102	138	133	142	106	103
	80-A	90	85	84	118	113	121	88	93
	80-B	99	93	92	127	122	131	98	97

(1) For descriptions of Ventura County Production Areas and Delivery Zones, see Pages 22 to 27, inclusive.

ø Change )  
\* Addition ) Decision No. 65753  
ò Reduction )

EFFECTIVE SEPTEMBER 11, 1963

Issued by the Public Utilities Commission of the State of California,  
San Francisco, California.  
Correction No. 777

Item No.	SECTION NO. 3 - RATES FROM PRODUCTION AREAS TO DELIVERY ZONES IN CENTS PER TON (Continued)					
	MATERIAL, viz.: Asphaltic Concrete (commonly called "Hot Stuff"), Cold Road Oil Mixture (commonly called "Plant Mix").					
(1) Ventura County Delivery Zones	FROM (1) Ventura County Production Areas					
	A	B	C	E	I	*6L
10	160	165	177	172	188	270
11	171	176	183	183	200	280
12	149	156	167	161	178	259
13	137	145	157	150	167	248
14	126	132	143	160	159	238
15	134	140	151	173	171	249
16	119	126	137	161	160	235
17	107	112	124	149	143	222
18	96	100	112	137	131	207
19	85	92	102	127	121	195
20	81	86	98	123	116	189
21	93	98	110	135	129	202
22	105	110	123	147	140	214
23	116	122	134	160	152	225
24	152	159	171	148	160	247
25	141	150	162	143	162	239
26A	156	161	173	138	156	236
26B	164	171	181	143	160	236
27	171	171	160	114	132	217
28	166	162	148	103	120	201
29	147	141	129	86	103	187
30	129	123	109	64	82	163
31A	77	83	94	120	112	187
31B	68	75	86	111	105	176
32	69	76	89	112	106	183
33	66	72	85	110	104	174
34	62	68	77	100	94	164
35	58	64	65	94	89	149
36	71	68	60	85	78	136
37	91	85	72	62	56	154
38A	106	104	92	50	69	146
38B	122	119	106	60	82	138
38C	126	120	107	57	78	118
39A	144	138	126	91	111	127
39B	139	134	122	82	103	117

ø(2)  
285

39C	139	135	122	71	93	107
39D	156	149	136	92	112	119
40A	167	163	149	105	126	134
40B	177	172	160	114	136	144
40C	190	185	172	127	148	161
41A	186	180	170	125	146	154
41B	203	199	185	141	163	169
42	90	80	68	111	105	111
43	99	91	80	121	118	99
44	116	107	95	111	129	104
45	141	132	121	82	104	118
46	126	113	100	109	131	87

(1) For descriptions of Ventura County Production Areas and Delivery Zones, see Pages 22 to 27, inclusive.

(2) Portion of the rates formerly shown in this item transferred to Item No. 286 on Original Page 38-0-1.

ø Change        )  
 \* Addition     ) Decision No. **65753**  
 ó Reduction    )

EFFECTIVE SEPTEMBER 14, 1963

Issued by the Public Utilities Commission of the State of California,  
 San Francisco, California.  
 Correction No. 978

Item No.	SECTION NO. 3 - RATES FROM PRODUCTION AREAS TO DELIVERY ZONES IN CENTS PER TON (Continued)						
	MATERIAL, viz.: Asphaltic Concrete (commonly called "Hot Stuff"), Cold Road Oil Mixture (commonly called "Plant Mix").						
	TO (1) Ventura County Delivery Zones	FROM (1) Ventura County Production Areas					
A		B	C	E	I	*6L	
286	47	108	99	89	123	126	89
	48A	137	126	114	131	148	66
	48B	129	119	107	133	144	66
	48C	122	112	100	140	143	84
	49	158	151	137	95	114	92
	50	145	138	125	126	157	60
	51A	131	123	109	135	148	70
	51B	137	129	116	146	153	75
	51C	151	141	130	160	166	87
	52	149	144	135	168	173	87
	53A	136	130	123	158	162	84
	53B	136	131	129	175	168	105
	54	143	138	137	183	179	117
	56	164	156	140	174	181	97
	57	183	173	161	189	200	121
	58A	180	170	158	187	191	113
	58B	192	184	171	202	205	126
	59A	65	63	72	116	109	159
	59B	70	69	77	121	113	157
	60	59	59	66	114	108	143
	61	69	62	62	106	99	123
	62	90	86	82	129	122	113
	63	85	82	78	123	116	107
	64A	84	81	77	126	120	123
	64B	97	93	91	138	132	135
	65	83	80	75	123	116	131
	66	78	75	76	124	118	137
	67	71	69	76	125	119	151
68	87	84	93	137	131	167	
69	83	76	85	137	132	154	
70	86	82	89	139	133	154	
71	103	99	104	149	143	156	
72	102	97	103	148	141	152	
73	108	105	109	157	149	159	
74	114	111	116	162	156	165	
75	120	118	122	166	160	168	
76A	103	96	94	141	135	119	
76B	119	113	110	158	150	105	
77	92	86	83	130	123	113	
78	110	105	102	149	143	134	

79A	125	123	121	166	160	147
79B	141	136	134	180	174	167
79C	159	152	150	198	190	179
79D	174	167	167	214	207	191
79E	159	152	150	198	193	152
80A	134	129	126	172	165	138
80B	146	139	138	185	178	144

(1) For descriptions of Ventura County Production Areas and Delivery Zones, see Pages 22 to 27, inclusive.

(2) Rates now shown in this item except those from production area "L" formerly appeared in Item No. 285 on Sixth Revised Page 38-0.

ø Change            )  
 \* Addition         )  
 ø Reduction        )     Decision No. 65753

EFFECTIVE SEPTEMBER 14, 1963

Issued by the Public Utilities Commission of the State of California,  
 San Francisco, California.  
 Correction No. 979